

THOMAS E. BELTRAN, ESQ., State Bar No. 171884
 BELTRAN, BELTRAN, SMITH, OPPEL & MACKENZIE, L.L.P.
 2501 W. Burbank Blvd., Suite 200
 Burbank, California 91505
 Telephone: (818) 567-1776
 Facsimile: (818) 955-9877

Attorney for Plaintiff
 DOROTHY J. DeMATTEI.

FILED

OCT - 7 2005

RICHARD W. WIEKING
 CLERK, U.S. DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

DOROTHY J. DeMATTEI,

Plaintiff,

vs.

JOANNE B. BARNHART,
 Commissioner of Social Security,

Defendants.

CASE NO. C05 01890 RS

STIPULATION TO CONTINUE DATES
 FOR FILING PLAINTIFF'S MOTION
 FOR SUMMARY JUDGMENT;
 [PROPOSED] ORDER

Pretrial Conference:

Date: None Set.

Time:

Ctrm: 4

Trial Date: None Set.

The parties, through counsel, and at plaintiff's request, have agreed to stipulate to continue the filing deadlines set by Civil L.R. 16-5 on the plaintiff's Motion for Summary Judgment. The reason for the request are two-fold. Plaintiff's counsel has a hearing set for November 1 through 4, 2005 in San Francisco, and briefs within the month in several other matters including a writ of mandamus, a summary judgment motion in another social security case, and an appellate brief. Secondly, plaintiff's counsel will be taking off a significant period of time during the first two weeks of October for religious reasons. Counsel, although he is in a firm, is the sole attorney on this case and no other attorney is able to or capable of handling the matter. Based on these circumstances,


1 THEREFORE, THE PARTIES HEREBY STIPULATE AND REQUEST THAT
2 THE COURT ISSUE THE FOLLOWING ORDER to continue the filing of the Motion
3 for Summary Judgment presently due on October 25, 2005, to December 21, 2005.

4 IT IS SO STIPULATED:

5 DATED: September 27, 2005


BELTRAN, BELTRAN, SMITH, OPPEL &
MACKENZIE, LLP

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7 By


THOMAS E. BELTRAN, ESQ.
Attorneys for Plaintiff

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9 DATED: 9/27/05

KEVIN V. RYAN
UNITED STATES ATTORNEY
JOANN M. SWANSON
Assistant United States Attorney

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SARA WINSLOW
Assistant United States Attorney
Attorneys for Defendant
Jo Anne B. Barnhart

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16 IT IS SO ORDERED:

17 DATED: 10/7/05


UNITED STATES MAGISTRATE JUDGE
RICHARD SEEBORG